

**Notice of Allowability**

Application No.

09/982,159

Examiner

Roy M. Punnoose

Applicant(s)

KAWAMURA, TATSUROU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 11/10/2003.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

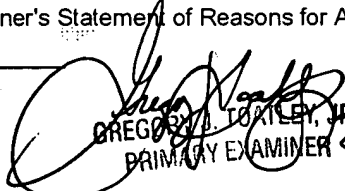
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 9/10/2003.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date Nov.'03; Feb.'04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
GREGORY J. TOOLEY, JR.  
PRIMARY EXAMINER 982877

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-32 are allowed.
2. Claims 1 and 17 are allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious a method of polarimetry by allowing a light with a known polarization direction 'X' to be incident upon a sample detecting a polarization direction of a light transmitted through said sample and measuring an angle of rotation of a polarization direction in said sample on the basis of the difference between said polarization directions of said incident light and said transmitted light, said method further comprising the steps of, performing a phase sensitive detection on an output signal by using a modulation signal as a reference signal to obtain a demodulation signal, and, calculating an angle of rotation from three or more polarization signals and three or more demodulation signals, in combination with the rest of the limitations of the respective claims.
3. Claims 2-8, and 18-24 are allowed because their limitations are dependent on limitations of independent claims 1 and 17 respectively, or an intermediate claim.
4. Claim 9 and 25 are allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious method of polarimetry by applying a magnetic field to a sample containing a spontaneously optical active substance and a magneto-optical active substance, allowing a light with a known polarization direction 'X' to be incident upon said sample changing and modulating a polarization direction of a light transmitted through said sample and calculating an angle of rotation attributed to said sample on the basis of a magnitude of said magnetic field when an amount of change in an angle of rotation attributed to said

spontaneously optical active substance and an amount of change in an angle of rotation attributed to said magnetic field satisfy a prescribed relation said method comprising the steps of, performing a phase sensitive detection on an output signal by using a modulation signal as a reference signal to obtain a demodulation signal, and, calculating an angle of rotation from three or more polarization signals and three or more demodulation signals, in combination with the rest of the limitations of the respective claims.

5. Claims 10-16, and 26-32 are allowed because their limitations are dependent on limitations of independent claims 9 and 25 respectively or an intermediate claim.
6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Roy M. Punnoose** whose telephone number is **571-272-2427**. The examiner can normally be reached on 9:00 AM - 5:30 PM.

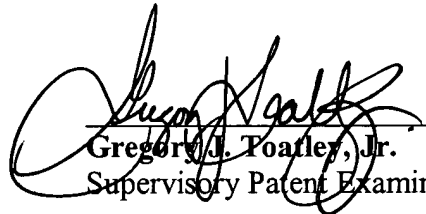
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Gregory J. Toatley, Jr.** can be reached on **571-272-2800 ext.77**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Roy M. Punnoose**   
Patent Examiner  
Art Unit 2877  
September 27, 2004

  
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**Gregory J. Toafley, Jr.**  
Supervisory Patent Examiner **AU2877**